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AS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/989,507 12/12/97 BRIES

J 53691USA8A

EXAMINER

IM52/0321

AHMAD, N

ART UNIT

PAPER NUMBER

1772

21

DATE MAILED:

03/21/01

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/989,507

Applicant(s)
Bries et al.

Examiner
Nasser Ahmad

Group Art Unit
1772



☒ Responsive to communication(s) filed on Dec 15, 2000 and Jan 02, 2001.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 68-81 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 68-81 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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(1) Applicant's arguments with respect to claims 68-81 have been considered but are moot in view of the new ground(s) of rejection.

(2) The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

(3) Claims 68-81 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. In amendment filed under 37 CFR 1.607(a)(4) on January 2, 2001, claim 68, the phrase "by pulling on the adhesive strip in the direction of the plane of the bond formed between said adhesive strip ^{and} ~~an~~ said ~~substrate~~ ^{found}" is ~~formed~~ to be new matter because support for said phrase could not be located in specification, page 28, line 27 to page 28, line 3 as directed. However, specification, page 27, lines 27+ refers to stretching at a low angle but fails to recite "in the direction of the plane of the bond."

(4) Claims 68-81 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 68 the phrase "which" in line 5 is deemed to be confusing because it is not clear as to if said phrase refers to the adhesive film strip or the composite.

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Claims 70 and 75, as stated is formed to be vague regarding the location of the tab(s) with respect to each of the strips.

claim 73, line 2, the phrase :a plurality of mating loop as hook fasteners is deemed to be indefinite. It is unclear as to if said phrase refers to a new fastener or to the fastener recited in claim 68, line 10.

(5) The request for interference under 37 CFR 1.607 filed January 2, 2001 ^{cannot} ~~can~~ be declared because applicants' claims do not comply with 35 USC 112 as discussed above.

(6) Claims 68-81 are free if the prior art uncovered so far because the uncovered prior art fails to teach the features recited in claim 68.

(7) Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namer Ahmad whose telephone number is (703) -308-4424. The examiner can normally be reached on Monday through Thursday from 8:30 AM to 6:00 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon, can be reached on (703) -308-4251. The fax phone number for the organization where this application or proceeding is assigned is (703) -305-3599.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) -308-0661.

Ahmad/LR

March 20, 2001


NASSER AHMAD
PRIMARY EXAMINER